

LOCAL BANKRUPTCY RULE 3015-1**PROCEDURES REGARDING CHAPTER 13 CASES****(a) APPLICABILITY**

Except as provided herein, this rule relates to chapter 13 cases in all divisions of the bankruptcy court and supersedes any previous orders in conflict with the provisions hereof. This rule, as amended, is effective January 2, 2001, and shall apply to all chapter 13 cases, including cases pending as of the effective date as to prospective matters. The definitions set forth in the Local Bankruptcy Rules effective July 1, 1998, and any amendments thereafter, apply to all terms used in this rule. To the extent that this rule conflicts with any other provisions of the Local Bankruptcy Rules, the provisions of this rule shall prevail. In all other respects, the Local Bankruptcy Rules shall apply in all chapter 13 cases.

(b) FILING AND SERVICE OF PETITIONS, PLANS, PROOFS OF CLAIM AND OTHER FORMS

- (1) Filing of Petition. As required by Local Bankruptcy Rule 1002-1(e), an original and 4 copies of the petition, plan, schedules and statement of financial affairs shall be filed with the court, along with 2 copies of a master mailing list.

If the chapter 13 schedules, statement and plan are not filed with the petition, the clerk shall thereupon issue an order notifying the debtor that, if the plan, schedules and statement are not filed within 15 days, the case shall be dismissed at that time with a 180-day bar to refiling, unless the court grants a motion to extend time filed within said 15 days.

- (2) Time Extension. A motion for extension of time must be accompanied by a declaration showing specific cause for an extension of time, the amount of additional time requested, the date the petition was filed, and a proof of service evidencing that the motion and declaration were served on the chapter 13 trustee. The court may consider the motion without a hearing. If any schedule, the statement or the plan is not filed within the initial 15 days or within such additional time as the court may allow in response to a timely motion for extension of time, the court shall dismiss the case with a 180-day bar to refiling.

- (3) Notice Service. The debtor or debtor's attorney shall serve a notice of the plan confirmation hearing, along with a copy of the chapter 13 plan, on all creditors and the chapter 13 trustee at least 33 days before the date first set for the § 341(a) meeting of creditors. A proof of service shall be filed with the court and served on the chapter 13 trustee at least 10 days prior to the date first set for the meeting of creditors.
- (4) Forms. The chapter 13 petition, schedules and statement of financial affairs and proofs of claim must be prepared as prescribed by the appropriate official form, as required by F.R.B.P. 1007(b)(1). All other chapter 13 papers filed by the debtor or debtor's attorney must be submitted on applicable Central District court-approved forms, or be prepared in the same format. These forms include, but are not limited to the following:
- Chapter 13 Plan
 - Notice of § 341(a) Meeting and Hearing on Confirmation of Chapter 13 Plan with Copy of Chapter 13 Plan
 - Order Confirming Plan
 - Application for Fees
 - Memorandum of Receipts and Disbursements
 - Statement of Attorney Pursuant to F.R.B.P. 2016(b) and Order Thereon
 - Motion to Modify/Suspend Plan Payments, Trustee's Comments and Order Thereon
 - Debtor's Motion for Authority to Sell Real Property, Trustee's Comments and Order Thereon
 - Debtor's Motion for Authority to Refinance Real Property, Trustee's Comments and Order Thereon
 - Application for Supplemental Fees, Trustee's Comments and Order Thereon
 - Debtor's Application for Voluntary Dismissal of Chapter 13 with Proof of Service and Order Thereon
 - Debtor's Conversion of Chapter 13 Case to Chapter 7 and Proof of Service

If the debtor does not use a court-approved form, the debtor or debtor's attorney shall include a statement under penalty of perjury that the document contains all of the language of the approved form, or that specifies each respect in which it differs (apart from filling in blanks). No chapter 13 papers shall be served on the United States trustee, except as provided in sections (j) and (q) herein and when the United States trustee serves as a chapter 13 trustee. The court-approved forms can be obtained from the clerk's office or downloaded from the court's web page (<http://www.cacb.uscourts.gov>).

- (5) Proof of Claim. Each proof of claim shall be in conformity with F.R.B.P 3002 and shall be served on the debtor's attorney, or on the debtor if the debtor is not represented by counsel, and on the chapter 13 trustee. Each proof of claim shall include a proof of service.

(c) MEETING OF CREDITORS - § 341(a)

- (1) Notice Service. Notice of the § 341(a) meeting of creditors and initial confirmation hearing date along with a proof of claim form shall be served on all creditors by the court at least 33 days before the date first set for the § 341(a) meeting of creditors.
- (2) Evidence of Income. The debtor shall provide evidence of current income (pay stubs, tax return or other equivalent documentation) to the chapter 13 trustee at least 8 days before the § 341(a) meeting of creditors. If income from third party contributors will be used to fund the plan, the debtor shall also provide evidence (declarations and pay stubs or other appropriate evidence) of the commitment and ability of the third party to make payments. Failure to provide this evidence timely may result in dismissal of the case, including but not limited to dismissal with a 180-day bar to refiling pursuant to 11 U.S.C. § 109(g) if the court finds willful failure to comply with an order of the court.
- (3) Attendance Requirement. The debtor and debtor's attorney shall attend the § 341(a) meeting of creditors. Unless otherwise ordered by the court, if the debtor does not appear, the case will be dismissed without further notice, and the court may impose a 180-day bar against refiling pursuant to 11 U.S.C. § 109(g) without further notice. If the case is a joint case, both debtors shall appear. If the debtor(s) fails to comply with this provision, the trustee shall prepare and lodge an order of dismissal with the court.
- (4) Required Reports. If the debtor is operating a business, the debtor shall submit to the chapter 13 trustee, at least 8 days before the § 341(a) meeting of creditors, the following reports required to investigate the acts, conduct, assets, liabilities, and financial condition of the debtor, the operation of the debtor's business, and the feasibility of such business:
- (A) Projection of average monthly income and expenses for the next 12 months;
 - (B) Evidence of appropriate business insurance;
 - (C) Inventory of goods as well as a list of business furniture and equipment as of the date of the filing of the petition;

- (D) Monthly income and expense statements for at least the 6 months preceding the date of the filing of the petition, or for such shorter time if the business has been in operation for less than the requisite 6 months, signed by the debtor under penalty of perjury, including a statement regarding incurred and unpaid expenses;
- (E) Tax returns for at least 5 years or since the start of the business, whichever period is shorter; and
- (F) The trustee may request additional evidence, including but not limited to bank statements, canceled checks, contracts, or any other evidence to support the ability to fund the proposed plan.

If the chapter 13 trustee desires the foregoing information to be presented in a particular format, such format shall be made readily available to the public.

Failure to submit timely reports required above may result in dismissal of the case, with or without a 180-day bar to refiling pursuant to 11 U.S.C. § 109(g), if the court finds willful failure to comply with an order of the court.

(d) CONFIRMATION HEARING

The debtor's attorney or the debtor, if not represented by counsel, shall appear at the confirmation hearing unless specifically excused by court order or by the trustee prior to the confirmation hearing in conformance with procedures of the judge to whom the case is assigned.

- (1) Varied Calendaring and Appearance Procedures. The judges of this district do not have a uniform policy governing calendaring and appearance at a confirmation hearing. Some judges allow confirmation to take place as early as the date of the § 341(a) meeting and without court appearance by any party if there are no timely objections to confirmation or all such objections have been resolved. Some judges require a hearing on all plan confirmations but excuse appearances by the debtor and his or her attorney if there are no timely objections to confirmation or all such objections have been resolved. Some judges require a hearing on all plan confirmations and appearance by the debtor and his or her attorney, regardless of whether there are unresolved objections to confirmation.

Because of this variance in procedure, parties in interest are advised to contact the chapter 13 trustee assigned to the case.

- (2) Trustee Prepares Order Confirming Plan. Unless otherwise ordered by the court, the trustee shall prepare and file the Order Confirming Plan (“Order”). The Order will state the amount of the debtor’s attorney’s fees and costs allowed by the court. An application for approval of fees may be combined with the F.R.B.P. Rule 2016(b) statement. Counsel may apply for additional fees if and when justified by the facts of the case.

(e) VEHICLES

The plan may provide that postpetition contractual payments on vehicles shall be made directly to the creditor. All such direct payments shall be made as they come due postpetition. The plan shall provide that arrearages will be paid through the chapter 13 trustee. If the plan changes the amount of payment or duration due to the fact that any portion of the claim is deemed unsecured, then all payments so provided must be paid through the chapter 13 trustee.

(f) SPOUSAL AND CHILD SUPPORT

The plan may provide for current payments of spousal and child support directly to the creditor. Arrearages shall be paid through the chapter 13 trustee unless specific cause is shown and supported by declaration.

(g) OBJECTIONS TO PLANS

Objections, if any, to the confirmation of the plan shall be in writing, supported by appropriate declarations or other admissible evidence, filed with the court and served on debtor’s attorney, the debtor and the chapter 13 trustee not less than 8 days before the § 341(a) meeting of creditors. As required by Local Bankruptcy Rule 1002-1(d)(8)(E), any written objection shall state in the caption the date, time, and place of the § 341(a) meeting of creditors, and the date, time, and place of the confirmation hearing. However, the chapter 13 trustee may accept an oral objection to confirmation of the plan if said objection is made at the § 341(a) meeting of creditors. Failure to file either a written objection on a timely basis or to appear at the § 341(a) meeting to present the basis for the objection will be deemed a waiver of the objection.

Any creditor who objects to confirmation of the plan should attend both the § 341(a) meeting of creditors and the confirmation hearing if the objection is not resolved. If the objecting creditor does not appear at the confirmation hearing, the court may overrule the objection.

(h) AMENDMENTS TO PLANS PRIOR TO CONFIRMATION

- (1) Filing and Service. If a debtor wishes the court to confirm a plan other than the plan originally filed with the court, an amended plan must be received by the chapter 13 trustee and filed with the court at least 8 days before the confirmation hearing. If the amended plan will adversely affect any creditors (for example, if it treats any creditor's claim less favorably than the previously filed plan), the amended plan must also be served on all such creditors at least 25 days before the confirmation hearing. Failure to comply with these requirements may result in continuance of the confirmation hearing or dismissal of the case.

The caption of all amended plans shall identify the pleading as an amended plan ("First Amended Plan," "Second Amended Plan," etc.) and shall state the date, time, and place of the confirmation hearing at which the debtor will seek confirmation.

- (2) Amended Plan Payments. If the debtor has filed an amended plan prior to confirmation, the plan payments that come due after the date the amended plan is filed must be made in the amount stated in the amended plan, which may be higher or lower than the amount stated in the original plan. Where successive amended plans are filed, any plan payment that comes due must be made in the amount stated in the most recently filed amended plan.

(i) AMENDMENTS TO PLANS AT THE CONFIRMATION HEARING

Amendments to a plan which do not adversely affect creditors may be made at the confirmation hearing by interlineation in the confirmation order (prior review by the chapter 13 trustee is preferred).

(j) OBJECTIONS TO CLAIMS

Any objections to claims shall be filed with the court and served on the chapter 13 trustee and affected creditors. Objections to claims shall give notice of the date, time, and courtroom of hearing on the face of the objection and shall comply with Local Bankruptcy Rule 3007-1. Pending resolution, the chapter 13 trustee shall make payments on only the uncontroverted portion of claims subject to an objection, until such time as the court orders otherwise.

(k) PLAN PAYMENTS TO CHAPTER 13 TRUSTEE

- (1) Plan Payment Procedure. Plan payments shall be due on the same day of each month beginning not later than 30 days after the petition is filed. If the case was converted from chapter 7, the first plan payment shall be due 30 days from the date of conversion. Except as provided in section (m), all plan payments that accrue before the § 341(a) meeting of creditors shall be tendered, in the form described in section

(k), to the chapter 13 trustee or the trustee's representative at the § 341(a) meeting of creditors.

- (2) Dismissal or Conversion for Non-Payment. If the debtor fails to make plan payments, the case may be dismissed or converted to a case under chapter 7. If the case is dismissed for willful failure of the debtor to abide by orders of the court, or to appear before the court in proper prosecution of the case, the court will impose a 180-day bar to refiling in accordance with 11 U.S.C. § 109(g).
- (3) Form of Payment. Unless and until a payroll deduction order is effective, all post confirmation plan payments shall be made by the debtor in the form of cashier's check, certified funds, or money order made payable to the "Chapter 13 Trustee" and mailed to the chapter 13 trustee as instructed. The court may require plan payments through a payroll deduction order. If a payroll deduction order is not issued upon confirmation of a plan, the chapter 13 trustee is authorized to issue such an order and to serve it upon the debtor's employer, the debtor and the debtor's counsel whenever a plan payment is more than 20 days late.

(l) TRUSTEE'S FEES

The minimum trustee's fee for a chapter 13 that is not confirmed is \$50. The minimum trustee's fee in a case where the plan is confirmed is \$100.

(m) PAYMENTS ON MORTGAGES OR TRUST DEEDS

- (1) Failure to Make Postpetition Payments. Failure to make timely all postpetition mortgage payments will generally result in dismissal of the case, and the court may impose a 180-day bar against refiling pursuant to 11 U.S.C. § 109(g) without further notice. Except as otherwise specifically provided herein, default on a payment coming due on the date the petition is filed is considered a prepetition default.
- (2) Postpetition Mortgage Payments. All mortgage payments that accrue postpetition before the § 341(a) meeting of creditors must be tendered, in the form described in section (m), to the chapter 13 trustee or the trustee's representative at the § 341(a) meeting of creditors. However, if the debtor or the debtor's spouse has filed any bankruptcy case(s) that was/were pending within 6 months before the date the current case was filed, the postpetition mortgage payments referred to herein shall also include the fewer of: (1) all such payments coming due after the previous case(s) was/were filed, or (2) all such payments coming due during the 6 months prior to filing of the current case (the "6 Month Rule"). Payments required pursuant to the "6 Month Rule" must be received by the chapter 13 trustee not later than 15 days after the date of filing of the petition commencing the pending case. The requirements stated herein will apply unless otherwise ordered by the court. In determining whether a

postpetition mortgage payment has come due, the court does not consider payments as to which a late penalty has not yet accrued or which are due on the date of the confirmation hearing.

The mortgage holder may accept payments without prejudice to pending foreclosure proceedings.

- (3) Postpetition Payment Procedure. Until a plan is confirmed, a debtor shall submit to the chapter 13 trustee all postpetition payments on debt secured by real property unless otherwise directed by the chapter 13 trustee. The payments shall be in the form of money order, cashier's check, or certified funds payable to the appropriate creditor and shall have written on each item the debtor's name and case number and the appropriate loan number or credit account number. The chapter 13 trustee shall immediately transmit these payments to creditors. The debtor is excused from this requirement for any real property for which the plan specifically states that the property is to be surrendered.
- (4) Real Property and Mobile and Manufactured Homes. The provisions of this section shall apply to real property and to mobile and manufactured homes installed on a permanent foundation or used as a dwelling.

(n) MODIFICATION OF PLANS OR SUSPENSION OF PLAN PAYMENTS

Plan payments may be modified or suspended upon approval of the court. A motion to modify the plan or to suspend plan payments shall be made in accordance with section (v) and must be submitted on court-approved form(s).

(o) TAX RETURNS

Each year a case is pending after the confirmation of a plan, the debtor shall provide: (1) a copy of his or her federal tax return, (2) any request for extension of the deadline for filing a return and (3) forms W-2 and 1099 to the chapter 13 trustee within 10 days after the return is filed with the Internal Revenue Service.

(p) SALE OR REFINANCING OF PROPERTY

Any sale or refinancing of the debtor's principal residence or other real property must be approved by the court. A motion for such approval may be made in accordance with section (u) herein. All such motions shall be submitted to the trustee for the trustee's comments before filing with the court, and must be submitted on court-approved form(s) pursuant to Local Bankruptcy Rule 1002-1.

(q) MOTIONS FOR DISMISSAL OR CONVERSION

- (1) Non-Converted Case Dismissal. If the case has not been converted from another chapter, the debtor may seek dismissal of the case by filing a request to dismiss. If the case has been converted from another chapter, dismissal must be sought by motion. For all such requests or motions, notice shall be given to all creditors and the chapter 13 trustee. In addition, the request or motion shall disclose by a statement under penalty of perjury whether the debtor or the debtor's spouse has had any other bankruptcy cases pending within the previous 6 years, whether the present case has been converted from another chapter of the Bankruptcy Code, and whether any motion for relief from, annulment of, or conditioning of the automatic stay has been filed against the debtor in the present case. The motion shall comply with Local Bankruptcy Rule 9013-1(b).
- (2) Chapter 13 Conversion to Chapter 7. Pursuant to F.R.B.P. 1017, the conversion of a chapter 13 case to a case under chapter 7 shall be effective upon:
 - (A) The filing by the debtor with the clerk of the bankruptcy court of both a notice of conversion pursuant to 11 U.S.C. § 1307(a) and a proof of service evidencing that the notice of conversion was served upon the chapter 13 trustee, the United States trustee, and all creditors; and
 - (B) Payment of any fee required by 28 U.S.C. § 1930(b).

Any distributions of estate funds made by the chapter 13 trustee in the ordinary course of business for the benefit of the debtor's estate prior to receipt of notice of dismissal or conversion shall not be surcharged to the chapter 13 trustee.
- (3) Debtor Conversion of Chapter 13 to Chapter 11. A motion by the debtor to convert a chapter 13 case to a case under chapter 11 shall be noticed for hearing.
- (4) Interested Party Conversion of Chapter 13 to Chapter 7, 11, or 12. A motion by any other party in interest to convert a chapter 13 case to a case under chapter 7, 11, or 12 shall be noticed for hearing by the moving party. This notice shall be given to the debtor, debtor's attorney, all creditors, the chapter 13 trustee, and the United States trustee.

- (5) Service of Order. When an order is required, the moving party shall transmit an original and one copy of the proposed order of dismissal or conversion to the court for entry and service on the chapter 13 trustee. Additional copies of the order plus notice of entry for all contesting parties must accompany the proposed order if notice of entry is required by F.R.B.P. 9022.

(r) MOTIONS FOR RELIEF FROM STAY

- (1) Required Format and Information. Motions for relief from the automatic stay shall conform with the Local Bankruptcy Rules forms and shall comply with Local Bankruptcy Rule 9013-1. Motions seeking relief to enforce liens affecting real property shall provide the following information:
- (A) The date of filing of the chapter 13 petition;
 - (B) If the plan has not been confirmed, the date of the § 341(a) meeting of creditors and the date of the confirmation hearing or, if the plan has been confirmed, the date of confirmation of the plan;
 - (C) The amount of the monthly maintenance payment at issue;
 - (D) The date of each postpetition or postconfirmation default;
 - (E) The total amount of the postpetition or postconfirmation payments (principal and interest) in default as of the date of filing of the motion and due as of the anticipated date of hearing, and the total amount of any other postpetition or postconfirmation charges due or anticipated as of each of these dates;
 - (F) The date of recordation of a notice of default (if any);
 - (G) The scheduled date, place, and time of sale by moving party (if notice of sale has been published);
 - (H) The identity of the original lien holder, if different from the moving party;
 - (I) Information on junior and senior encumbrances and the current status of each (if available);
 - (J) Admissible evidence establishing the value of the property, if such value is an issue to be determined; and

- (K) If the request for relief from stay is based on defaults in payments to or through the chapter 13 trustee, the motion must provide admissible evidence that the debtor has not made the payments to the chapter 13 trustee.
 - (2) Default Motions.
 - (A) Pre-Confirmation Default. A motion for relief from stay based solely upon a pre-confirmation payment default is premature until after the first date on which the § 341(a) meeting of creditors is conducted, unless the case is governed by the 6 Month Rule. In a case governed by the 6 Month Rule, a motion for relief from stay based solely on a failure to make payments due pre-confirmation is premature until more than 15 days after the petition is filed commencing the current case. A motion for relief from stay based on other grounds may be brought at any time.
 - (B) Post-Confirmation Default. A motion for relief from stay based solely on post-confirmation payment default is premature until a late charge has accrued under the contract on the obligation that the creditor seeks to enforce. If no late charge is provided, the motion may be brought 10 days after payment is due.
 - (3) Stipulations. A stipulation for relief from stay or to modify the stay does not require the consent or signature of the chapter 13 trustee.
 - (4) Payments After Relief From Stay. If an order for relief from stay is granted, unless otherwise specified, the chapter 13 trustee is relieved from making any further payments to the secured creditor that obtained such relief. The secured portion of that creditor's claim is deemed withdrawn upon entry of the order for relief, without prejudice to filing an amended unsecured claim for a deficiency when appropriate. The secured creditor that obtains relief from stay shall return to the chapter 13 trustee any payments the creditor receives from the chapter 13 trustee after entry of the order unless the stipulation or order provides otherwise.
 - (5) Shortened Notice Hearing. A hearing on a motion for relief from stay on shortened notice, pursuant to Local Bankruptcy Rule 9075-1(b), may be sought for cause.
- (s) **ADEQUATE PROTECTION ORDERS**

After confirmation of a plan, if the debtor and a secured creditor propose to modify the payments by the chapter 13 trustee to the secured creditor by way of an adequate protection/relief from stay agreement, the debtor or creditor shall file and serve a motion for an order approving the modification of the plan by said agreement pursuant to section (u).

Notwithstanding court approval of an adequate protection/relief from stay agreement, the trustee shall continue to make payments and otherwise perform his or her duties in accordance with the plan as confirmed unless: (1) the debtor receives a separate court order approving a modification to the plan, or (2) the adequate protection/relief from stay agreement specifically modifies the treatment of the claim under the confirmed plan.

(t) ATTORNEY REPRESENTATION

Local Bankruptcy Rule 2090-1 is modified in chapter 13 cases as follows: Any attorney who is retained to represent a debtor in a chapter 13 case is responsible for representing the debtor on all matters arising in the case, including relief from automatic stay, claims, or adversary proceedings, until otherwise ordered by the court.

- (1) Supplemental Fees. Should the representation create a hardship, an attorney may petition the court for relief for cause. When it is warranted, application may be made for allowance and payment of supplemental fees beyond the sum each court sets as a base for representation of a debtor through the plan confirmation stage of a case. Such applications must be supported by admissible evidence of the time spent and the tasks performed.
- (2) Debtor Unavailable or Unopposed to Hearing. If an attorney for a debtor is unable to contact the debtor in connection with a proceeding (e.g., a motion for relief from stay), the attorney may serve and file a statement informing the court of this fact.

If a debtor does not oppose a proceeding, the attorney may file a statement so informing the court and need not appear at the hearing.

(u) MOTIONS AND APPLICATIONS WITHOUT HEARING

In addition to the motions and applications specified in Local Bankruptcy Rule 9013-1(g), the following motions may be made on notice without a hearing pursuant to the requirements of that rule:

- (1) Applications for supplemental attorney's fees (subject to sections [v] and [w] herein);
- (2) Motion for suspension of plan payments (subject to section [v]);
- (3) Motions by the debtor or the trustee to modify a confirmed plan;

- (4) Motions for approval of sale or refinancing of debtor's residence, if the entire equity therein is exempt from the claims of creditors; provided, however, notice is not required if the sale or refinance will pay off the plan and the plan allows 100% to the unsecured claims; and
- (5) Trustee's motion to dismiss or modify the plan. Notwithstanding Local Bankruptcy Rule 9013-1(g), a party who responds to a trustee's motion to dismiss or a trustee's motion to modify the plan must obtain a hearing date from the court and give notice thereof with the response.

(v) **SERVICE OF MOTIONS AND APPLICATIONS**

All motions and applications must be served on the chapter 13 trustee, debtor, debtor's attorney and all creditors, with the following exceptions:

- (1) Motions for relief from the automatic stay;

See notice requirements in Local Bankruptcy Rule 9013-1: MOTIONS (EXCEPT REJECTION OF COLLECTIVE BARGAINING AGREEMENTS).

- (2) Motions for relief from stay seeking only to pursue unlawful detainer proceedings involving month-to-month residential tenancies or residential tenancies at will need not be served on the chapter 13 trustee or creditors;
- (3) Applications for supplemental attorney's fees for debtor's counsel, not exceeding **\$1,000** ~~\$500~~ per application, need only be served on the chapter 13 trustee and the debtor;

See F.R.B.P. 2002(a) regarding notice of hearings on fee applications requesting more than ~~\$500~~ \$1,000.

- (4) All motions for suspension of plan payments must be submitted to the chapter 13 trustee for comment prior to filing but need not be served on creditors if the proposed suspension, combined with any prior approved suspensions, does not exceed 90 days. All other motions for suspension must be served on all creditors with 24 days notice, in addition to being submitted to the chapter 13 trustee for comment;
- (5) An objection to a claim need only be served on the chapter 13 trustee, the claimant and the claimant's attorney. Service on the claimant if the claimant is the United States or an agency of the United States shall be as provided in F.R.B.P. 7004(b)(4),(5); or
- (6) A trustee's motion to dismiss need be served only on the debtor and debtor's attorney.

(w) SUPPLEMENTAL FEE APPLICATIONS

Unless sought by noticed motion pursuant to Local Bankruptcy Rule 9013-1, supplemental fee applications shall be submitted to the chapter 13 trustee for comment before being filed with the court, and shall be supported by evidence of the nature, necessity, and reasonableness of the additional services rendered and expenses incurred. When supplemental fees are sought, the court may, in its discretion, require additional supporting information or require a hearing, even though no opposition is filed.

Court's Comment

2001 Revision

Paragraph (v)(3) - amount changed from \$500 to \$1,000 to conform with F.R.B.P. 2002(a)(6) effective December 1, 2000.

2000 Revision

Title changed from CHAPTER 13 PLAN to PROCEDURES REGARDING CHAPTER 13 CASES. Former Appendix I was rewritten and became LBR 3015-1, PROCEDURES REGARDING CHAPTER 13 CASES.